

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
Donald Williams,

Plaintiff,

-against-

City of New York et al.,

Defendants,

----- X

JURY VERDICT FORM

Case No. 06-6601 (TLM)

JURY VERDICT FORM

1a. Do you find in favor of the plaintiff on his excessive force claim as to either of the defendants?

Lieutenant Gary Messina

____ Yes

✓ No

Officer John Occhipinti

____ Yes

✓ No

If you answered "No" to Question 1a as to both defendants, proceed to Question 2a. If you answered "Yes" to Question 1a as to either defendant, answer Questions 1b and 1c and then proceed to Question 2a.

1b. What amount of compensatory or nominal damages do you award to plaintiff under his excessive force claim?

\$ _____

1c. Do you find by a preponderance of the evidence that the defendants could have reasonably believed that plaintiff was reaching for a weapon in his back pocket when they were speaking with him during the encounter in the lobby?

Lieutenant Gary Messina

____ Yes

____ No

Officer John Occhipinti

____ Yes

____ No

2a. Do you find in favor of the plaintiff on his false arrest claim as to either of the defendants?

Lieutenant Gary Messina

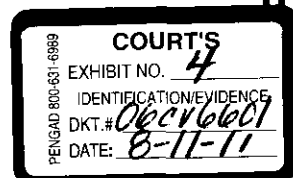
✓ Yes

____ No

Officer John Occhipinti

✓ Yes

____ No



FILED

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ AUG 11 2011 ★

BROOKLYN OFFICE

If you answered "No" to Question 2a as to both defendants, stop; you have reached a verdict. Please have the foreperson date and sign the verdict sheet and tell the Court Security Officer you have reached a verdict. If you answered "Yes" to Question 2a as to either defendant, answer Questions 2b, 2c, and 2d.

- 2b. What amount of compensatory damages do you award to plaintiff under his false arrest claim?**

\$ NONE

- 2c. Do you find by a preponderance of the evidence that the plaintiff failed to give to either defendant a reasonably believable explanation for his presence in the apartment building?**

☒ Yes ☐ No

- 2d. Do you find by a preponderance of the evidence that the plaintiff disregarded an order to remove his hand from his back pocket?**

☒ Yes ☐ No

Please have the foreperson date and sign the verdict sheet and tell the Court Security Officer you have reached a verdict.



FOREPERSON

August __, 2011
Brooklyn, NY